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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,818	06/30/2000	Giann H. Chen	81326D-W	2410

7590 05/20/2003

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EXAMINER

TSOY, ELENA

17

ART UNIT	PAPER NUMBER
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1762

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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Commissioner for Patents

Applicants state that in the section (9) of the Examiner's Answer, the examiner didn't include Eddy et al (US 5,017,432) cited by the examiner in the March 5, 2002 Office Action, and Effenberg et al (5,194,335), cited by the examiner in the July 17, 2002 Office Action, and Shifman et al (US 6,203,873), cited by the examiner in the September 19, 2002 Advisory Action. Also not referred to in the section (9) are the non-patent references included as Attachments A, B, C, D to the appellants' Appeal Brief.

The examiner didn't include the above references since they were not relied upon for rejection and discussion: Eddy et al were cited by the examiner merely as evidence to show that commercially available Viton B contains the same components as claimed invention within claimed ranges; Effenberg et al were cited as a prior art made of record and not relied upon; Shiffman et al were cited by the examiner in Responce to Arguments merely as evidence; and Attachments A, B, C, D were submitted by applicants as attachment to appellants' Appeal Brief, to support their point of view. Futhermore, the Attachments A-D were cited by the appelants to support the fact that fluorocarbon elastomers and fluorocarbon thermoplastics are well recognized as distinctly different materials. However, the essence of the examiners' position is that a fluoropolymer of Hartley (no matter how it is called) is substantially identical to that of claimed invention. Therefore, there was no need for the examiner to discuss the Attachments A-D as relating to distinctly different materials, i.e. different compositions.


SHRIVE P. BECK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700

Elena Tsoy
Examiner
May 16, 2003

ET

Conferees Shrive Beck and
Glenn Caldarola